

THURSDAY, MARCH 5, 1992

SIXTY-SEVENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Glen Messenger, New Bethel Baptist Church, Bolivar, Tennessee.

Representative Walley led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Williams (Shelby); due to father's illness.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

REPORT OF COMMITTEE ON CALENDAR AND RULES
March 5, 1992

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar** for **Monday, March 9, 1992**: House Bill(s) No(s). 1749, 2310, 2311, 1660, 1662, 1650, 2108, 432 and 2157.

We further report that we have met and set the following bill(s)

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and/or resolution(s) on the **Consent Calendar** for **Monday, March 9, 1992**: House Bill(s) No(s). 2049, 2252, 2109 and 1870.

PHILLIPS, Chair.

REGULAR CALENDAR

House Bill No. 1849 -- Drugs -- Repeals chapter permitting research into therapeutic applications of marijuana and its derivatives in cancer and glaucoma patients. Amends TCA, Title 68, Ch. 52.

On motion, House Bill No. 1849 was made to conform with Senate Bill No. 1818.

On motion, **Senate Bill No. 1818**, on same subject, was substituted for House Bill No. 1849.

Rep. Rhinehart moved that **Senate Bill No. 1818** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1903 -- Pharmacy -- Prohibits pharmacist from substituting drugs unless "A"-rated in FDA's research "Approved Drug Products with Therapeutic Equivalence Evaluations". Amends TCA 53-10-204.

On motion, House Bill No. 1903 was made to conform with Senate Bill No. 1885.

On motion, **Senate Bill No. 1885**, on same subject, was substituted for House Bill No. 1903.

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Rep. Rhinehart moved that **Senate Bill No. 1885** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1743 -- Drugs -- Changes anabolic steroids from controlled substance Schedule VIII to Schedule III. Amends TCA, Title 39, Ch. 17, Pt. 4.

Rep. Rhinehart moved that House Bill No. 1743 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 1743 by deleting SECTIONS 1 and 2 in their entirety and substituting instead the following new sections:

SECTION 1. Tennessee Code Annotated, Section 39-17-416, is amended by deleting subsections (b) and (e) in their entirety.

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 17, Part 4, is amended by designating the provisions of Tennessee Code Annotated, Section 39-17-416(c) and (d) as an appropriately numbered new section and adding the following new subsection to such new section:

() A person who knowingly violates this section shall be punished as provided in Tennessee Code Annotated, Section 39-17-417(d) for a violation of a

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Schedule III controlled substance.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that **House Bill No. 1743**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Duer -- 1.

A motion to reconsider was tabled.

House Bill No. 1800 -- Sunset Laws -- Institute for African and Caribbean affairs, June 30, 1995.

Rep. King moved that House Bill No. 1800 be passed on third and final consideration.

Rep. King moved that House Bill No. 1800 be reset one week to the Calendar for Thursday, March 12, 1992, which motion prevailed.

House Bill No. 1790 -- Sunset Laws -- Collection service board, June 30, 1999; requires collection notices to contain information relative to board's responsibility to respond to complaints and how aggrieved debtors can file complaints with board. Amends TCA, Title 4, Ch. 29; Title 62, Ch. 20.

Rep. King moved that House Bill No. 1790 be passed on third and final consideration.

Rep. King moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1790 by deleting Section 3 in its entirety and by substituting instead the following:

SECTION 3. Tennessee Code Annotated, Title 62, Chapter 20, is amended by adding a new appropriately numbered section as follows:

In order to protect the rights of debtors, all letters of collection or notices of collection from a collection agency to a debtor shall contain the following language:

This collection agency is licensed by the collection services board, state department of commerce and insurance, 500 James Robertson Parkway, 37243.

AND FURTHER AMEND by deleting Section 4 in its entirety and by substituting instead the following:

SECTION 4. Sections 1 and 2 shall take effect July 1, 1992, the public welfare requiring it. Section 3 shall take effect March 1, 1993, the public welfare requiring it.

Rep. King moved that House Bill No. 1790 be reset one week to the Calendar for March 12, 1992, which motion prevailed.

House Bill No. 1812 -- Sunset Laws -- Commodity producer indemnity board, June 30, 1997. Amends TCA, Title 4, Ch. 29; Title 43, Ch. 32.

Rep. King moved that **House Bill No. 1812** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	2
Present and not voting.	5

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

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Representatives voting no were: Chiles, Joyce -- 2.

Representatives present and not voting were: Holcomb, Shirley, Sipes, Venable, Williams (Union) -- 5.

A motion to reconsider was tabled.

House Bill No. 1653 -- Election Laws -- Authorizes use of computerized printout at polling place instead of printout and duplicate registration records in Hardeman County. Amends TCA 2-5-216.

On motion, House Bill No. 1653 was made to conform with Senate Bill No. 1649.

On motion, **Senate Bill No. 1649**, on same subject, was substituted for House Bill No. 1653.

Rep. Walley moved that **Senate Bill No. 1649** be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 1649 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 2-5-216, is amended by adding the following new subsection:

() Notwithstanding the provisions of subdivision (b)(1), in any county having a population of not less than seventy-seven thousand nine hundred (77,900) nor more than seventy-eight thousand (78,000) according to the 1990 federal census or any subsequent federal census in which a computerized voter registration system which has been approved by the coordinator of elections and the state election commission is in use, the county election commission shall provide for each polling place a printout containing the names and addresses of all eligible voters at the polling place and a space for the signature of each voter. This use of the computerized printout at each polling place instead of both the printout and the duplicate registration records requires an authorizing resolution approved by the county legislative body by a two-thirds (2/3) vote.

On motion, Amendment No. 1 was adopted.

Rep. Fowlkes moved to amend as follows:

Amendment No. 2

AMEND Senate Bill No. 1649 by deleting Section 1 and by substituted instead the following:

(b) If a county is using a computerized voter registration system which has been approved by the coordinator of elections and the state election commission, and if the county legislative body approves by resolution the use of a computer printout instead of the duplicate registration records, the county election commission shall provide for each polling place the following:

(1) A printout containing the names and addresses or all eligible voters at the polling place and a space for the signature of each voter;

(2) The application for ballot forms containing the certification required in subdivision (a)(2); provided, however, ballot applications need not be provided in any county which uses Votomatic or a comparable punch card voting system;

(3) Duplicate tally sheets containing the information required in subdivision (a)(3); and

(4) Duplicate record sheets for counting paper ballots.

AND FURTHER AMEND by adding at the end of Section 2 the following legislative body prior to the effective date of this act shall continue in full force and effect until such approval is revoked by a comparable action of a county legislative body.

Rep. Love moved the previous question, which motion prevailed.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Walley moved that **Senate Bill No. 1649**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles,

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Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Halteman -- 1.

A motion to reconsider was tabled.

***House Bill No. 1718** -- Highway Signs -- Monroe County Maternity Center, SR 68.

On motion, House Bill No. 1718 was made to conform with Senate Bill No. 1826.

On motion, **Senate Bill No. 1826**, on same subject, was substituted for House Bill No. 1718.

Rep. Gunnels moved that **Senate Bill No. 1826** be passed on third and final consideration.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 1.

Rep. Gunnels moved that **Senate Bill No. 1826** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowkes, Givens, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1047 -- Health and Environment, Dept. of --
Authorizes certain agencies to fund impaired practice programs.
Amends TCA, Title 63, Ch. 1.

Senate Amendment No. 1

Amend House Bill No. 1047 by deleting from subsection (b) of the amendatory language of Section 1 the words "fee increases" and by substituting instead the word "fees".

Senate Amendment No. 2

AMEND House Bill No. 1047 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, is amended by adding the following language as a new, appropriately designated section:

SECTION ____.

(a) Regulatory boards, commissions and agencies attached to the division of health-related boards, in addition to other enumerated powers and duties, shall have as their purpose, assistance in the rehabilitation of impaired health practitioners who are licensed, certified or registered by the respective regulatory boards, commissions and agencies.

(b) Regulatory boards, commissions and agencies attached to the division of health-related boards, in addition to other enumerated powers and duties, shall have the power to enter into agreements, provide grants, and make other arrangements with statewide nonprofit professional associations or foundations to identify and assist impaired professionals who are licensed, registered or certified by the respective regulatory boards, commissions, and agencies.

(c) Regulatory boards, commissions and agencies attached to the division of health-related boards shall have the authority to accept and designate grants, public or private financial assistance, and licensure fees to fund programs, authorized in subsection (b), to assist impaired professionals.

(d) All information, interviews, reports, statements, memoranda, and other data furnished to a nonprofit professional association or foundation, and any findings, conclusions or recommendations resulting from the

proceedings of such professional association or foundation shall be privileged and confidential. The records of such proceedings of the foundation or association shall be used only in the exercise of proper functions of the regulatory board, commission or agency attached to the division of health-related boards and shall not become public record nor be made available for court subpoena or discovery proceedings.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Duer moved that the House concur in **Senate Amendment(s) No(s). 1 and 2 to House Bill No. 1047**, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***Senate Bill No. 1399** -- Taxes, Personal Property -- Provides that equipment valued at \$500 or less is deemed to have no value for personal property tax purposes. Amends TCA 67-5-901.

House Amendment No. 3

Amend Senate Bill No. 1399 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 477,000 nor more than 480,000 according to the 1980 federal census or any subsequent federal census.

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Rep. Davis (Knox) moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 3 to Senate Bill No. 1399, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Kent moved that the rules be suspended to recall House Joint Resolution No. 545 from Monday's Consent Calendar for immediate adoption, which motion prevailed.

House Joint Resolution No. 0545 -- Memorials, Professional and Business Achievement -- Patsy R. Blalock, 1991 Region II Teacher of the Year. by *Kent, *Holcomb.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kent, the resolution was adopted.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Hillis, House Bill No. 1251 was recalled from the Conservation and Environment Committee.

On motion of Rep. Hillis, House Bill No. 1251 was withdrawn from the House.

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On motion of Rep. Ridgeway, House Bill No. 1904 was recalled from the Transportation Committee.

On motion of Rep. Ridgeway, **House Bill No. 1904** was withdrawn from the House.

On motion of Rep. Rhinehart, House Bill No. 2633 was recalled from the State and Local Government Committee.

On motion of Rep. Rhinehart, **House Bill No. 2633** was withdrawn from the House.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 991: Rep(s). Hill as prime sponsor(s).

House Bill No. 1653: Rep(s). Fowlkes as prime sponsor(s).

House Bill No. 1725: Rep(s). Crain as prime sponsor(s).

House Bill No. 1727: Rep(s). Buck as prime sponsor(s).

House Bill No. 1765: Rep(s). Moore as prime sponsor(s).

House Bill No. 2291: Rep(s). Crain as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep. Huskey was removed as sponsor of **House Bill No. 1765**.

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Joint Resolution No. 0552 -- Memorials, Personal Occasion -- Robert D. and Ellen Nelson, 50th Wedding Anniversary. by *Ridgeway.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0553 -- Memorials, Personal Achievement -- William J. Helms, Eagle Scout. by *Byrd.

Referred by the Speaker to the Calendar and Rules Committee.

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House Joint Resolution No. 0554 -- Memorials, Death -- Hillard Leon Wasson. by *Moore, *Bragg.

Referred by the Speaker to the Calendar and Rules Committee.

BILLS WITHDRAWN

On motion of Rep. Ridgeway, House Joint Resolution No. 552 was recalled from the Calendar and Rules Committee.

On motion of Rep. Ridgeway, House Joint Resolution No. 552 was withdrawn from the House.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

On motion, the resolutions listed were referred as noted:

Senate Joint Resolution No. 0365 -- Memorials, Professional and Business Achievement -- Kenneth M. Sokol.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0366 -- Memorials, Personal Achievement -- Emily Denise Graham, recipient of AAU/Mars Milky Way High School All-American Award.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0373 -- Memorials, Personal Achievement -- April Elizabeth Hackney, Valedictorian.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0374 -- Memorials, Retirement -- Dr. John B. Sharp.

Referred by the Speaker to the Calendar and Rules Committee.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred as noted:

***Senate Joint Resolution No. 0384 -- General Assembly, Joint Conventions -- D.A.R.E. officers and students; March 18, 1992, as "D.A.R.E. Day on Capitol Hill".**

Referred by the Speaker to a Special Committee, pursuant to Rule No. 17.

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DELAYED BILLS REFERRED

Pursuant to **Rule No. 78**, having been prefiled for introduction, House Bill(s) No(s). 2785, was/were referred to the Delayed Bills Committee.

***House Bill No. 2785 -- Drugs --** Requires department of safety to monitor DARE programs to ensure that instructors are qualified and materials used are comparable to curriculum implemented by state board of education. Amends TCA, Title 49, Ch. 1, Pt. 4. by *Davis Ray.

REPORT OF DELAYED BILLS COMMITTEE
March 5, 1992

Pursuant to **Rule No. 78**, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 2776.

Jimmy Naifeh, Speaker
Bill Purcell
John Chiles

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2780 -- Lake County -- Revises school districts. Amends Chapter 270, Private Acts of 1967, as amended. by *Pinion.

Passed first consideration.

House Bill No. 2781 -- Lake County -- Requires permit issued by assessor of property for building or improvement costing \$1,000 or more. by *Pinion.

Passed first consideration.

House Bill No. 2782 -- Lewis County -- Divides school districts to be coextensive with county commissioner districts. Repeals Chapter 268, Private Acts of 1933, as amended. by *Moore.

Passed first consideration.

House Bill No. 2783 -- Jackson -- Defines mission of hospital district to provide health care services on fee for service basis, with regard for indigent; substitutes city council for commissioners. Amends Chapter 686, Private Acts of 1949, as amended. by *Kisber, *Sipes.

Passed first consideration.

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House Bill No. 2784 -- Montgomery County -- Increases annual salaries of associate members of county board of highway commissioners from \$500 to \$1,200. Amends Chapter 312, Private Acts of 1923, as amended. by *Head, *Knight.

Passed first consideration.

House Bill No. 2786 -- Roane County -- Enacts hotel/motel tax. by *Ferguson.

Passed first consideration.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

***Senate Bill No. 1969** -- District Attorneys -- Authorizes part time employees of executive secretary to district attorneys' conference to practice law. Amends TCA 8-7-311. (HB 1875).

Held pending third consideration of companion House Bill.

***Senate Bill No. 2034** -- Driver Licenses -- Allows commissioner to waive requirement for social security number on driver license applications for persons having religious objections to use of social security numbers. Amends TCA, Title 55, Ch. 50, Pt. 3. (HB 2071).

Held pending third consideration of companion House Bill.

***Senate Bill No. 2068** -- Motor Vehicles, Titling and Registration -- Provides for issuance of license plates bearing distinctive series of letters and numbers to inform law enforcement officers that driver of vehicle is hearing impaired. Amends TCA, Title 55, Ch. 21. (HB 2631).

Held pending third consideration of companion House Bill.

***Senate Bill No. 2274** -- Liens -- Allows non-resident person or foreign corporation to be named or act as trustee of a security interest only where resident state grants similar authority to residents of Tennessee. Amends TCA, Title 66, Ch. 24. (HB 2255).

Held pending third consideration of companion House Bill.

***Senate Bill No. 2279** -- Civil Procedure -- Requires advertisement or notice of trust of judicial sales to include certain information; requires notification to U.S. and Tennessee so such sales not subject to lien; requires deeds of sale to state land subject to rights of U.S. and Tennessee to redeem. Amends TCA 35-5-104. (HB 2144).

Held pending third consideration of companion House Bill.

THURSDAY, MARCH 5, 1992 -- SIXTY-SEVENTH LEGISLATIVE DAY

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 2778 -- Franklin -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2779 -- Martin -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

March 5, 1992

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2370 and 2779.

PHILLIPS, Chair.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

March 5, 1992

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, March 9, 1992**: House Joint Resolution(s) No(s). 553 and 554; House Bill(s) No(s). 2370 and 2779; also, Senate Joint Resolution(s) No(s). 365, 366, 373 and 374.

PHILLIPS, Chair.

MESSAGE FROM THE SENATE

March 5, 1992

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 555; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 5, 1992

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 400; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, MARCH 5, 1992 -- SIXTY-SEVENTH LEGISLATIVE DAY

**ENGROSSED BILLS
March 5, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 545; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 5, 1992**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1679, 2285, 2294, 2313, 2359, 2362 and 2365; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**ENGROSSED BILLS
March 5, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1743 and 1812; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 5, 1992**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 496, 497, 502, 504, 505, 507, 508, 509, 510, 511, 526, 527, 528, 530, 534, 535, 536, 537 and 539; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
March 5, 1992**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 752 and 2180; also, House Joint Resolution(s) No(s).

THURSDAY, MARCH 5, 1992 -- SIXTY-SEVENTH LEGISLATIVE DAY

488, 490, 491, 492, 493, 494 and 506; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
March 5, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1720, 1841, 1842 and 1853; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
March 5, 1992**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 545; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
March 5, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 78, 375 and 377; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Joint Resolution No. 0078** -- General Assembly, Directed Studies -- Extends report deadline SJR 505, relative to restricting access to drivers and vehicle records. by *Henry.

Senate Joint Resolution No. 0375 -- Memorials, Sports -- Trenton Peabody High School football team. by *McKnight.

Senate Joint Resolution No. 0377 -- Memorials, Personal Achievement -- Julie Melissa Robinson, Valedictorian. by *Rochelle.

**MESSAGE FROM THE SENATE
March 5, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 852, 1688, 1704, 1758, 1835, 1979, 1998, 2222, 2266,

THURSDAY, MARCH 5, 1992 -- SIXTY-SEVENTH LEGISLATIVE DAY

2270, 2628 and 2785; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 0852 -- Pensions and Retirement Benefits --** Authorizes certain sheriffs to participate in TCRS. Amends TCA, Title 8, Ch. 36, Pt. 2. by *Rochelle.

Senate Bill No. 1688 -- Pest Control -- Prohibits local governments from regulating pesticide sale or use. Amends TCA, Title 43, Ch. 8; Title 62, Ch. 21. by *Burks, *Davis E, McKnight.

***Senate Bill No. 1704 -- State Employees --** Authorizes up to 15 days of paid leave for state employees who are certified disaster service volunteers for Red Cross to participate in specialized disaster relief services with appointing authority's approval. Amends TCA, Title 8, Ch. 50, Pt. 1. by *Gilbert.

***Senate Bill No. 1758 -- Police --** Authorizes inclusion of time in active military duty for calculation of required eight month service time for eligibility for police pay supplement. Amends TCA, Title 38, Ch. 8, Pt. 1. by *Kyle, et al.

***Senate Bill No. 1835 -- Public Officials --** Clarifies fees clerk may charge for registering instruments which do not have specific fee, in counties of first class, \$6.00, all others \$8.00. Amends TCA 8-21-1001. by *Gilbert.

Senate Bill No. 1979 -- Alcoholic Beverages -- Removes surety bond requirements which secure payment of beer taxes if taxpayer has been in continuous operation for three years and has timely paid such taxes for six months. Amends TCA 57-5-106, 57-6-107. by *Darnell.

***Senate Bill No. 1998 -- Alcoholic Beverages --** Authorizes operation of microbrewery in Hamilton County. Amends TCA 57-5-101. by *Crutchfield.

***Senate Bill No. 2222 -- Telecommunications --** Allows chief law enforcement officers to direct telephone employees to cut, reroute or divert telephone lines in emergency where person barricades himself or where hostages held. Amends TCA, Title 65, Ch. 21, Pt. 1. by *Montgomery, *Crowe, *Cooper, *Patten, *Rochelle, Henry, Atchley, Kyle.

***Senate Bill No. 2266 -- Economic and Community Development --** Makes various changes to convert the Local Neighborhood Model Development Corporation Act into a program of general applicability within the three major urban counties. Amends TCA, Title 13, Ch. 13, Pt. 1. by *Ford.

***Senate Bill No. 2270 -- State Prisoners --** Requires inmate to pay incarceration cost; gives credit as work time time spent attending school; permits department to retain up to 80 percent of

THURSDAY, MARCH 5, 1992 -- SIXTY-SEVENTH LEGISLATIVE DAY

net wages to defray cost of incarceration, upon release, must provide accounting; allows process for inmate to avoid such obligation. Amends TCA, Titles 40, 41. by *Lawson, *Springer, Crowe, Kyle, Haynes, Jordan, Cohen, Dunavant, Person.

Senate Bill No. 2628 -- Knox County -- Creates 5th Division of General Sessions Court. by *Atchley.

Senate Bill No. 2785 -- Martin -- Enacts new charter. Repeals Chapter 552, Private Acts of 1919, as amended. by *Hamilton.

MESSAGE FROM THE SENATE

March 5, 1992

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1399.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 3.

The Speaker appointed a Conference Committee composed of Senators Gilbert, Rochelle and Henry to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 1399.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, March 9, 1992.